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THOMAS J. VILSACK
GOVERNOR
SALLY J. PEDERSON
LT. GOVERNOR

IOWA UTILITIES BOARD
IOWA DEPARTMENT OF COMMERCE

January 21, 2000

Ms. Magalie R. Salas, Secretary
Federal Communications Commission
TW-A325
445 12th St. SW
Washington, DC 20554

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RE: Iowa Utilities Board Petition for Delegation of Additional Authority
and Request for Limited Waiver, CC Docket No. 96-98, NSD File
No. L-99-96, DA 99-2770

Dear Ms. Salas:

Enclosed for filing in the above docket is an original and 11 copies of the Reply
Comments of the Iowa Utilities Board.

One additional copy has been included to be date-stamped and returned in the self-
addressed envelope.

Sincerely,

William H. Smith, Jr.
Iowa Utilities Board

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

IOWA UTILITIES BOARD)
PETITION FOR DELEGATION OF)
ADDITIONAL AUTHORITY AND)
REQUEST FOR LIMITED WAIVER)

CC Docket No. 96-98
NSD File No. L-99-96
DA 99-2770

REPLY COMMENTS OF THE IOWA UTILITIES BOARD

The Iowa Utilities Board (IUB) finds nothing in the initial comments in this file to prevent the Commission from granting the delegations of authority and the limited waiver requested in the IUB's Petition filed November 10, 1999.

Several comments repeat (or attempt to include by reference) positions submitted to the Commission in other dockets. See, e.g., USTA at 4, USW at 1, and AT&T at 2. The documents to be incorporation by reference were never served on the IUB. The IUB therefore lacks the text of those earlier statements and a realistic opportunity to respond in fourteen days. The Commission should not accept the incorporations by reference. Nevertheless, the Commission granted state commission delegations in the dockets where those comments were originally filed. It is therefore apparent that the Commission has considered the points raised by USTA, USW, and AT&T and has already concluded they do not stand in the way of the delegations of authority the IUB has requested.

The IUB responds to a few specific points.

1. The Cellular Telecommunications Industry Association (CTIA) suggests (at page 3) the IUB request is "quite different" from prior state requests because

it will not delay introduction of new codes. The IUB has realistically understood that relief for area codes 515 and 319 probably cannot be avoided, especially after a jeopardy situation was declared in December 1999 for the 515 area code, subsequent to the IUB's original request. However, the IUB's recognition of the reality in the 515 and 319 area codes should not weigh against the IUB's request.

As stated in the IUB's Initial Comment:

The IUB believes that the conservation measures it seeks to implement will **not** significantly slow the introduction of new area codes in the 515 and 319 area codes as a result of the existing number exhaust situations. However, prompt implementation of number conservation could delay the need for relief in the 712 area code, in western Iowa, and should also delay the need for a second round of relief proceedings for the customers in the existing 515 and 319 area code proceedings. . . . [Emphasis in original]. Initial Comment at 10.

2. AT&T indicates its concern that number pooling is effectively precluded by U S West's requirement for other carriers to use a separate location routing number (LRN) for every rate center from which they wish to receive ported numbers. AT&T at 3-4. AT&T's concern is a reason to delegate additional authority to the IUB to address U S West's numbering requirements. This situation appears unique to U S West, making it much more suitable for a state (or regional) resolution, rather than a national resolution.

3. AT&T (at 5) expresses disbelief that phase-in of ten-digit dialing under waiver could be competitively neutral and mentions the likelihood of customer confusion. The IUB supports the national and state legislative policies of competition. See Iowa Code §476.95(2) (1999). Under the requested waiver,

ten-digit dialing would not become mandatory until an NXX code is duplicated in the overlay area code, but it would then become mandatory for the entire rate center in which that NXX is used in the original area code. This dialing pattern would allow numerous small communities with only one or two NXXs to avoid ten-digit dialing for an extended period while they await the benefits of competition. The IUB is very keenly aware of the possibility of customer confusion and the need for a public awareness program, whatever form of relief is selected, and the IUB may decline to use the waiver, if granted. As the IUB prepares to make its selection from the menu of relief plans for Iowa, it believes the Commission would want it to have latitude to consider local preferences and impacts while giving full protection to competitive fairness. The waiver will add range and palatability to the IUB's menu choices in balancing customer understanding and convenience. The IUB's objective is the flexibility to pursue creative and competitively-neutral solutions that technology can provide.

4. AT&T hints, at page 8 of its Initial Comment, that the IUB might try to use the delegated authority to delay implementation of needed relief. The Commission should understand that there is simply no basis for any such suggestion. The IUB knows that timely relief is required for the continued growth and development of the telecommunication system Iowans need to conduct their personal and economic lives.

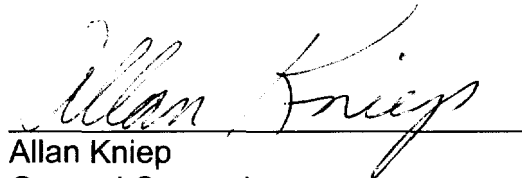
Conclusion

The Commission should grant the delegations requested by the IUB because they are consistent with earlier grants of authority to implement

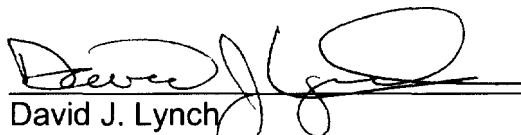
conservation measures through thousands block number pooling, reclamation of unused and reserved exchange codes, and monitoring use of numbering resources.

Further, the Commission should allow the IUB, *if* overlay relief is chosen in either the 515 or 319 area code, to consider implementing ten-digit dialing by rate center in order to minimize adverse customer reaction and impact.

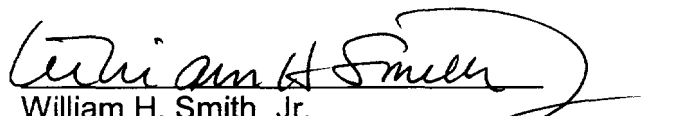
Respectfully submitted,



Allan Kniep
General Counsel



David J. Lynch
Deputy Counsel



William H. Smith, Jr.
Federal and Legislative Programs Coordinator

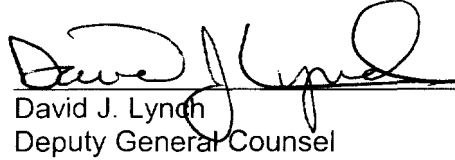
January 24, 2000

Utility Specialist:
Aaron Beckerman
515-281-6188

Iowa Utilities Board
350 Maple Street
Des Moines, Iowa 50319-0069
515-281-3448
515-242-5081 (fax)
iub@max.state.ia.us

CERTIFICATE OF SERVICE

I, David J. Lynch, do hereby certify that I caused (1) the foregoing Reply Comments of the Iowa Utilities Board to be served, via first class United States mail, postage pre-paid, upon the persons listed on the attached service list.



David J. Lynch
Deputy General Counsel

January 21, 2000

SERVICE LIST
CC Docket No. 96-98
NSD File No. L-99-96
DA 99-2770

Lawrence E. Serjeant
United States Telecom Association
1401 H Street, NW
Washington, DC 20005

Eldridge A. Stafford
Executive Director – Federal Regulatory
U S West, Inc.
Suite 700
1020 Nineteenth St, NW
Washington, DC 20036

James H. Bolin, Jr.
AT&T Corp.
295 North Maple Avenue
Room 1130M1
Basking Ridge, NJ 07920

Douglas I. Brandon
Vice President – External Affairs
AT&T Corp.
Suite 400
1150 Connecticut Ave, NW
Washington, DC 20036

Lolita D. Smith
Staff Counsel
Cellular Telecommunications Industry Association
1250 Connecticut Ave, NW
Suite 800
Washington, DC

ITS
1231 21st St NW
Washington, DC 20036